

Application of Robert Getts
Serial No. 09/802,162 filed 3/8/2001
Response of 9/11/08 to Office Action of 3/11/08

Remarks

Receipt is acknowledged of the Office Action of March 11, 2008 in the above-captioned matter. Reconsideration of the application and all available extensions of the time provided for a response are requested. The Commissioner is hereby authorized to charge Deposit Account 50-1604 for all amounts required in connection with the present application and response.

Applicant thanks the Examiner for her comments in the Office Action, but respectfully submits that they don't traverse the remarks submitted in Applicant's prior response. For example, in the prior response, Applicant amended claim 1 to require simultaneous hybridization. In the Office Action (*see*, pages 5-6), it was asserted that this is shown in Sampson in Figure 1 step 2 and page 9 line 28 to p. 10 line 9. However, those references appear to show the opposite. Sampson discloses hybridization to the surface of a solid substrate as a separate step from step 2, which he refers to as optional step 5.

That Sampson is not discussing simultaneous hybridization is likewise confirmed by his following discussion which states that "some applications may dictate that the signal amplification sequence be polymerized onto the target sequence subsequent to hybridization onto the surface-bound probe giving an overall step order of: (1), (2), (5), (3), (4), (6)". *See*, Sampson p. 10 lines 10-15. Sampson's discussion of subsequent polymerization is inconsistent with the rejection and the simultaneity requirement of the claim. Accordingly, it is respectfully submitted that the rejection does not overcome Applicant's prior remarks and amendment.

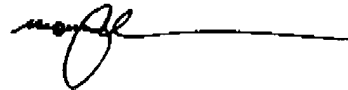
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Applicant likewise reiterates all of the remarks in its prior response. It is noted, for example, that the remarks regarding the very disparate methods of Sampson and Nilsen (with respect to Sampson's use of covalent bonding and so forth) also do not appear to be addressed by the Office Action.

Accordingly, reconsideration of the rejections is requested. Counsel also appreciates the Examiner's agreement to conduct an interview in this matter, and will contact the Examiner to arrange the same in addition to the present written response.

Dated: September 11, 2008

Respectfully submitted,



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